

MINUTES – AUGUST 30, 2012

The Caswell County Board of Commissioners met in special session at the Caswell County Courthouse, Yanceyville, North Carolina at 5:00 p.m. on Thursday, August 30, 2012. The purpose of the meeting was to discuss courthouse security. Members present from the Board of Commissioners: Nathaniel Hall, Chairman, Cathy W. Lucas, Vice-Chair, William E. Carter, Jeremiah Jefferies, Gordon G. Satterfield, Kenneth D. Travis and N. Kent Williamson. Also present: Kevin B. Howard, County Manager, Sheriff Michael Welch, Captain Gerald Brown, Lt. Tony Durden, Robert Carver, Probation/Parole, Thomas Bernard, Tax Director, John Satterfield, Clerk of Superior Court, Osmond Smith, Superior Court Judge, Wallace Bradsher, District Attorney, Attorney George Daniel, Coleman Wilson, Deputy and Chuck Owens, Deputy. Paula P. Seamster, Clerk to the Board, recorded the minutes.

Chairman Hall opened the special meeting with a Moment of Silent Prayer.

COURTROOM SECURITY

Chairman Hall stated “The purpose of this special meeting is to get two reports this afternoon on courthouse security. I don’t know the members of that team so if you are present please identify yourself for the record.”

Sheriff Welch stated “It is good to see everybody and members of the Board. Not everyone is here that is a part of the committee. There is actually a Courthouse Security Committee that is made up of representatives from the courts and non-courts members from the courthouse such as Register of Deeds, Tax Office and also members from the Sheriff’s Office. Then there is a working group that has been working on some of the recommendations, here tonight they are Robert Carver, Probation/Parole, Captain Gerald Brown and Lt. Tony Durden.”

Chairman Hall asked “Who is going to present the report?” Mr. Howard responded “I think John Satterfield, Clerk of Court, is going to present the report but they are still in court right now. There is a jury trial that is going on now.” Chairman Hall asked “Can you check to see if they are still in court? We are not going to say anything until you get back because what we have to do is get our logistics straight. From what I understand Sheriff is one of these reports will be done in closed session and I understand that that is the one you are going to do in closed session.”

Sheriff Welch asked “Does everybody have a copy of the report from the Rural Courts Commission?” Chairman Hall asked “The report dated July 16th?” Sheriff Welch responded “Yes sir. That is the report that John Satterfield will present. The one that I will present I will hand out the copies when we go into closed session but I will request that I receive these copies back.” Chairman Hall stated “What we will do is give Kevin a minute to get back to see how we need to move forward with the meeting.”

Mr. Howard stated “They are still conducting court. It is Judge Smith, John Satterfield and Coleman.”

Chairman Hall stated “What we will do then is we will reverse the reports. We will have to go into closed session to hear the Sheriff’s report. Hopefully by the time we finish this report the other members will be present to do their presentation.”

CLOSED SESSION

Commissioner Carter moved, seconded by Commissioner Travis that the Board enter into Closed Session to prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes (NCGS 143-318.11(a)(1)). The motion carried unanimously.

REGULAR SESSION

Commissioner Jefferies moved, seconded by Commissioner Williamson to resume regular session. The motion carried unanimously.

Chairman Hall stated “We will now move quickly to the next report, the RCC report. We have copies of that. Who is going to talk about that?”

Mr. John Satterfield stated “Mr. Chairman I will be glad to talk to you briefly about the Rural Courts Commission report. I did not realize that I would be presenting this. I was under the assumption that you were privied to this but I will be glad to talk about it.” Chairman Hall stated “Well we just got it recently so if you would present it in case there are questions. Again for clarification, the Rural Courts Commission is who or what?” Mr. Satterfield stated “The Rural Courts Commission is a commission by the chief justices of supreme court in North Carolina. It was put together several years ago, I believe by Justice Lake to study the issues and problems in rural court settings such as Caswell County which has a population of roughly twenty-two or twenty-three thousand people. First and foremost we all know that we do not have the financial assets that the urban counties do such as Wake, Mecklenburg, Forsyth and the list could go on. However this commission has gone out to the various counties throughout the State. Due to budgetary problems it was actually shut down for a couple of years. Once it got ramped back up the chief justice sent them directly to Caswell County. I believe that all of you were personally invited to the Commission’s meeting and to tour the courthouse. They spent the better part of the day here. I think Commissioner Satterfield was the only commissioner that I recall being present there however we had other folks such as the Sheriff, Thomas Bernard, and I think most of the people that are here were there. The report simply puts into writing issues that I think most of us have known for years. A lot of the issues that we have need funding to correct. There are a lot of issues that do not need monetary funding for us to correct. I wasn’t surprised at anything that I saw in the Sheriff’s Association assessment, at all but the Rural Courts Commission does get into depth, strategy and so forth for responses. I think the commission immediately saw a cooperative spirit, your manager was present. We have always worked well with Kevin. We work well with the Sheriff so that was a pleasant surprise to them that we have always communicated and tried to resolve things with the problems that we have. A lot of the things that were identified have already happened. The Board of Elections has moved out. That is

something that you will find in the report. Issues that they had with my office and the facility fees will pay for that. We are working towards this. The end result is it is talking about the lack of security and the ability to bring in deadly weapons into the building. That is really where we are at. I will need this Board's assistance to move forward with the next process basically."

Chairman Hall asked "This is for Judge Smith and the others, is there anything that you would like to add to these reports, anything that you would like to highlight on these reports that would be useful for the Board to know."

Judge Smith stated "I would like to highlight security. It is not just for, it seemed like it was judges all through there, it is not just for the judges and judicial officials and courthouse employees, it is for the citizens of Caswell County too, the jurors coming here, the witnesses, victims for the ones that are being charged for a crime or litigants for a case. When they come to the tax office to pay their bill they should be able to be safe when they come to the courthouse. It is just a sign of the times. It is unfortunate. I don't see how we cannot afford to increase courthouse security. There are a lot of things that we can do. We don't want them to say you should have done this after something tragic has happened. You said highlight so I highlight security. There are a lot of things that we can do that will not cost a lot of money but we most definitely need personnel because of all the metal detectors, x-ray machines, locks and everything else. We need someone to monitor those types of things and to allow the folks to still transact their business here. I do still emphasis this to you, we don't create the business in the courts, we respond to the businesses of the people who bring things to us. The Sheriff gets the calls. The Sheriff does not go out and generate business. The Sheriff has to respond to the calls, the criminal court system and the civil court system does as well. We thank you for your support at this point and we look forward to continued support to enhance the courthouse and to improve the security here. I want people to feel safe to conduct their business here. As far as security there are a lot of things procedurally that we can work on. I am not going to need an escort to do to the bathroom or every time I come to the courthouse. I say and I was not part of that committee that put that report together we don't need that but if we have some judge on particular occasions that needs an escort we can deal with that. We need extra security for the people that work here and for the people that come here. The folks in the tax office know when we have a court date and they know it will be somewhat disruptive but if they know that they are safe they can deal with the crowds of people and know that someone who is disgruntled does not have a gun. We look forward to being able to continue to work with you. It is great to see what is happening here. It is going to make things better. I don't mean to be redundant but one thing that the Rural Courts Commission recognized is the trouble we have in being a rural county in North Carolina and being a rural court is we are afraid we are becoming an area of have's and have not's in the State. The large urban areas are being able to supplement or do additional things because they fund themselves rather than the Uniform Court System. In 1968, I think, the State of North Carolina set up a Uniform System of Justices so that all the court officials had a certain pay, a certain levels, certain supervision and certain requirements so the folks in Caswell County should be able to get the same quality of justice, timely and the way it was carried out as they could in Wake County or Mecklenburg County. The district attorney will tell you though that there are places like Mecklenburg County that are saying to the legislature well we can fund our own district attorneys. We will add some more. We will pay for them so we will have additional court prosecutors and maybe even clerks. Well my concern is when that happens the

legislature is going to say well if there is such a great need for it they can take care of it if they need to. We will be the have not's and we are fashionably becoming more of the case of have not's so we appreciate the Rural Courts Commission. That Rural Courts Commission has people on it from rural areas as well as urban areas. I know that they do not have the authority but they do have our interest at heart. There are over three million citizens that are served by rural courts in this state even though we are fashionably becoming urban counties. We are trying to do the best we can with the few dollars that we have and we know you are. I will say the Sheriff is going around and visiting other courthouses to see how they do things. They were able to see how to man a courthouse with entry point metal detectors without x-ray machines with one person opposed to having two. We do need to have someone to cover for a restroom break and lunch and those kinds of things. I suggest we all will be served and the citizens of this county will be served. I thank you."

District Attorney Wallace stated "I am Wallace Bradsher and I am your DA. First of all, I appreciate everything that you do. I know you have to make tough decisions. You are in the priority business, what should get priority. I just want to tell you from my perspective having done this job for almost 2 years we need to lock down the courthouse and have key entry and to have metal detectors let me tell you why we have two murders pending. One, a Hispanic male brought over from another county, bound and gagged. His head was blown off on the side of the road here in Caswell County. They are not Caswell County folks. They are folks that came over from another county. We are talking about a highly organized gang related, drug related murder. We got indictments on those folks so those folks are coming to this courthouse. Witnesses are going to be here and people who are coming to see what happens. Another murder case is pending that involves on both sides, the victim and defendant side. We have gang members from MS13 and Bloods. If we are in session we will have gang folks here. We have an unsolved murder in the Pelham area at a club over there which was attracting gang members from Danville. Luckily with the Sheriff's help we were able to file a nuisance action and get that shut down as a club. We are at war in Person County against drug and gang activity. Person County is about 3 or 4 years behind Durham in terms of the level of drug and gang violence. Caswell County is about 2 years behind Person County. As we are squeezing in Person County there is some spill over in Semora. The Sheriff's Department is stepping up its drug and gang intervention as is Person County. As that happens when we get indictments and arrest people and lock them up, they are all coming into this courthouse. It took a guy over in Person County to leave the courtroom, I thought about this as the Sheriff was talking about the cell phone, a guy got on the cell phone and told a guy that he was coming out about three or four hundred feet on the steps in front of the courthouse in the middle of the day in downtown Roxboro he was shot and murdered and the guy with him was shot in the back running away. It is that simple. That cell phone in the courtroom was able to tell him that he was coming and an ambush in the middle of the day where a lot of people I know were getting off work to go to lunch with their kids. If we don't lock down the courthouse there is going to be, it is not a question of if it is going to be when. If you get that many factions, rival gangs and drug activity and prosecutions in this courthouse without locking down the courthouse where we are checking folks with metal detectors there is going to be an incidence in the courthouse. I am like the judge we made our choice to choose this job, I was military, I figure if they want to get me eventually they will get me somewhere but the citizens and the jurors and the taxpayers and the Register of Deeds folks, they are coming into this courthouse with this much drug, gang and violent folks it is unsafe

unless we take this step to screen folks as they come into the courthouse to make sure that they don't have weapons. I agree with the judge, not only lock down the courthouse and have metal detectors but have that additional personnel so that when something happens there is law enforcement there to react to it. I ask you as you are prioritizing your funds and I know that you are limited on the national, state and local level but this is a necessity. Not everything on this list and I am sure this is a wish list of everything that everybody would like but at a minimum the courthouse needs to be locked down with magnetic key entry with metal detectors and some additional security personnel so that everybody can be safe. I am not going to stop prosecuting these guys and the Sheriff is not going to stop arresting these guys, the courts are open to the public by law and these friends and affiliated gang members who are sitting on both sides of the aisles are coming. They are already in this courthouse and they are going to be in this courthouse. There has already been a sovereign citizen in my traffic court with his bodyguard enforcer who stood before our judge and said I don't answer to you or to the laws of the State of North Carolina, on a traffic ticket. Now you imagine if he got charged on something a little bit more serious. That is what we face. We are not shucking our duties we are asking for a little help on security to lock this place down as we try to lock up these bad guys for good. Thank you."

Chairman Hall asked "Are there any other comments or anything for the Board? Again the Sheriff and to the Judge we will be getting recommendations back in probably two parts, one for closed session and at least react to them I will not say deal with them, hear them and react to them in the open session part. They don't have to come at the same time or will not be coming at the same time."

Commissioner Satterfield asked "Mr. Chairman when they bring that back can they prioritize the recommendations and put a dollar cost to each recommendation as well?" Chairman Hall responded "Yes, please, by all means prioritize and if you know the dollars needed that would be great."

Commissioner Carter stated "I just wanted to say that I appreciate everybody's input and I think it is very evident what we need here at the courthouse."

ADJOURNMENT

At 6:25 p.m. Commissioner Carter moved, seconded by Commissioner Williamson to adjourn. The motion carried unanimously.

Paula P. Seamster
Clerk to the Board

Nathaniel Hall
Chairman
